

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

* * *

ROBERTO DURAND.

Case No. 3:19-cv-00744-MMD-CLB

Petitioner.

ORDER

CLARK COUNTY DISTRICT
COURTS, *et al.*,

Respondents.

12 Pro se Petitioner Roberto Durand submitted an application to proceed *in forma*
13 *pauperis* without a habeas petition or other pleading on December 16, 2019. (ECF No.
14 1.) On December 18, 2019, this Court dismissed the case without prejudice because it
15 was improperly commenced. (ECF No. 3.) Durand appealed, and the Ninth Circuit denied
16 Durand a certificate of appealability on December 14, 2021. (ECF No. 8.)

17 This closed matter comes before the Court for consideration of Durand’s request
18 for “safekeeping.” (ECF No. 15.) In his request, Durand explains that his “safety isn’t being
19 protected,” he is being denied medical care and educational programming, and there
20 have been issues with discipline. (*Id.*) Durand “order[s] the Court to take action.” (*Id.*)
21 Although it is not entirely clear what Durand is requesting, it appears that his issues are
22 not properly brought in a closed 28 U.S.C. § 2254 action for a writ of habeas corpus.
23 Rather, it appears that these issues lie in a civil-rights action under 42 U.S.C. § 1983.

24 It is therefore ordered that this Court will take no action on Durand's "safekeeping"
25 request (ECF No. 15).

DATED THIS 5th Day of December 2022.

er 2022.


MIRANDA M. DU
CHIEF UNITED STATES DISTRICT JUDGE